

REMARKS

The office action of July 24, 2008, has been carefully considered.

It is noted that the drawings are objected to for containing a reference numeral not mentioned in the specification.

Claims 1, 2, 4 and 5 are objected to for containing various informalities.

Claims 1 and 3 are rejected under 35 U.S.C. 112, second paragraph.

Claim 5 is rejected under 35 U.S.C. 101.

Claims 1-4 are rejected under 35 U.S.C. 102(b) over the patent to Reichl et al.

In connection with the Examiner's objection to the drawings, applicant has amended the specification to recite the pump 9.

In view of these considerations it is respectfully submitted

that the objection to the drawings is overcome and should be withdrawn.

In view of the Examiner's objection to and rejections of the claims, applicant has canceled claims 1 and 5, amended claims 2-4 and added new claims 6 and 7.

Applicant has amended the claims to address the informalities pointed out by the Examiner. Thus, it is respectfully submitted that the objection to claims 1, 2, 4 and 5 is overcome and should be withdrawn.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1 and 3 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

With the cancellation of claim 5 it is respectfully submitted

that the rejection of this claim under 35 U.S.C. 101 is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods disclosed in the reference.

Turning now to the references and particularly to the patent to Reichl et al., it can be seen that this patent discloses a hydraulic machine that stretches the ends of a pipe and stretches the pipe itself. The pipe is filled with water and air for stretching or expanding the pipe. Afterward, additional water under high pressure is introduced into the pipe in order to achieve a desired expansion of the pipe against the inner wall of a cylindrical jacket surrounding the pipe. Reichl et al. do not disclose a method including pumping a predetermined additional volume of water into the steel pipe ongoing from the pressure test so that the steel pipe is loaded slightly in the plastic range. In Reichl et al. the additional water is introduced after the pressure testing to deform the pipe so that it contacts the inner wall of a surrounding jacket. There is no disclosure of the slight loading in the plastic range for stress testing the pipe, as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1-4 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By 

Klaus P. Stoffel  
Reg. No. 31,668

For: Friedrich Kueffner  
Reg. No. 29,482  
317 Madison Avenue, Suite 910  
New York, New York 10017  
(212) 986-3114

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on October 24, 2008.

By:   
Klaus P. Stoffel

Date: October 24, 2008